

REMARKS/ARGUMENTS

In the Office Action of June 24, 2011, claims 1-4, 6, 11 and 12 were rejected. In addition, claim 16 is allowed and claims 5, 7-10 and 13-15 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims. Additionally, claim 1 was objected to because of informalities. Furthermore, the specification and the drawings were objected to. In response, claim 1 has been amended to correct the informalities. Applicant hereby requests reconsideration of the application in view of the amended claim and the below-provided remarks. No claim has been added or canceled.

Allowable Subject Matter

Applicant appreciates the Examiner's review of and determination that claims 5, 7-10 and 13-16 recite allowable subject matter. In particular, the Office Action states that claim 16 is allowed and that claims 5, 7-10 and 13-15 would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims.

At this time, Applicant chooses not to rewrite claims 5, 7-10 and 13-15 in independent form including all of the limitations of the base claim and any intervening claims. Instead, Applicant respectfully asserts that the pending claims are allowable as being dependent upon allowable independent claims 1, 6 and 11, as described in the remarks below.

Objections to the Claim

The Office Action states that claim 1 was objected to because claim 1 includes two steps of b). In response, claim 1 has been amended to recite in part:

"**a**) operating a first plurality of oscillators, each one of the first plurality of oscillators selectively coupled to a respective one of a plurality of parallel receiver paths; **b**) maintaining a second plurality of oscillators in a non-operational low-power state; **c**) operating the plurality of parallel receiver paths; **d**) determining based at least in part upon an output of each of the plurality of parallel receiver paths, whether a synchronization sequence has been received; **e**) receiving a first portion of a partially serialized, sequence keyed, ultra wideband symbol; **f**) operating if the determination of

d) is affirmative, a second plurality of oscillators; g) selectively coupling each one of the second plurality of oscillators to a respective one of the plurality of parallel receiver paths; and h) receiving a second portion of the partially serialized, sequence keyed, ultra wideband symbol" (emphasis added).

Support for the amendments to claim 1 is found in the present Application at, for example, Fig. 4 and the paragraph beginning at page 7, line 17 of Applicant's specification. Applicant respectfully submits that the amendments to claim 1 overcome the objection to claim 1. Thus, Applicant respectfully requests that objection to claim 1 be withdrawn.

Objection to the Specification

The Office Action suggests that section headings be added to the specification, according to the guidelines set forth in 37 C.F.R. § 1.77(b). Applicant notes that the suggested section headings are not mandatory, and in fact when Rule 77 was amended in 1996 (61 FR 42790, Aug. 19, 1996), Bruce A. Lehman, Assistant Secretary of Commerce and Commissioner of Patents and Trademarks, stated in the Official Gazette:

"Section 1.77 is permissive rather than mandatory. ... 1.77 merely expresses the Office's preference for the arrangement of the application elements. The Office may advise an applicant that the application does not comply with the format set forth in 1.77, and suggest this format for the applicant's consideration; however, the Office will not require any application to comply with the format set forth in 1.77."

Hence, Applicant respectfully declines to amend the specification to include the indicated section headings. Thus, Applicant respectfully requests that the objection to the specification be withdrawn.

Objections to the Drawings

The Office Action states that the drawings were objected to because drawing elements in the drawings lack text labels. Applicant respectfully notes that the current application is a U.S. National Stage application. The labeling of figures with text matter is prohibited under PCT Rule 11.11, except when absolutely indispensable for understanding. Further, MPEP 1893.03(f) states that "[t]he USPTO may not impose requirements beyond those imposed by the Patent Cooperation Treaty (e.g., PCT Rule 11)." In the present application, Applicant respectfully submits that the addition of text

labels to the drawings is not “absolutely indispensable” because the drawing elements are identified and described in the specification. In view of the above rules, Applicant respectfully asserts that additional text labeling is not required in the drawings of the current application. Thus, Applicant respectfully requests that the objections to the drawings be withdrawn.

Claim Rejections under 35 U.S.C. § 103

Claims 1, 2, 6, 11 and 12 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Kral (U.S. Pat. App. Pub. No. 2004/0166799 A1) in view of Roberts (U.S. Pat. App. Pub. No. 2004/0120424 A1). Claims 3 and 4 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Kral in view of Roberts and further in view of Chea Jr. (U.S. Pat. App. Pub. No. 2002/0089804 A1). As described above, claim 1 has been amended to correct informalities. Applicant respectfully submits that the pending claims are patentable over the cited references for the reasons provided below.

Independent Claim 1

Applicant respectfully asserts that Kral in view of Roberts does not teach the limitations “*receiving a first portion of a partially serialized, sequence keyed, ultra wideband symbol*” (emphasis added) and “*receiving a second portion of the partially serialized, sequence keyed, ultra wideband symbol*” (emphasis added), as recited in claim 1. Thus, Applicant respectfully asserts that claim 1 is patentable over Kral in view of Roberts.

The Office Action on pages 6 and 7 states that paragraph [0002] of Roberts teaches the above-identified limitations as recited in claim 1. However, Applicant respectfully disagrees. Specifically, Roberts teaches ultrawide bandwidth (UWB) transmitters, receivers and transmission schemes. (See paragraph [0002] of Roberts). Roberts further teaches a method and system for sending data across a UWB signal using M-ary bi-orthogonal keying. (See paragraph [0002] of Roberts). However, Roberts does not teach a partially serialized UWB symbol. Specifically, Roberts is silent as to a partially serialized UWB symbol. Thus, Roberts does not teach a partially serialized,

sequence keyed, UWB symbol. As a result, Roberts does not teach the limitations “*receiving a first portion of a partially serialized, sequence keyed, ultra wideband symbol*” (emphasis added) and “*receiving a second portion of the partially serialized, sequence keyed, ultra wideband symbol*” (emphasis added), as recited in claim 1.

Accordingly, Applicant respectfully submits that claim 1 is patentable over Kral in view of Roberts.

Dependent Claims 2-4

Claims 2-4 depend from and incorporate all of the limitations of independent claim 1. Thus, Applicant respectfully asserts that claims 2-4 are allowable at least based on an allowable claim 1.

Independent Claim 6

Claim 6 includes similar limitations to claim 1. Because of the similarities between claim 6 and claim 1, Applicant respectfully asserts that the remarks provided above with regard to claim 1 apply also to claim 6. Accordingly, Applicant respectfully submits that claim 6 is patentable over Kral in view of Roberts.

Independent Claim 11

Claim 11 includes similar limitations to claim 1. Because of the similarities between claim 11 and claim 1, Applicant respectfully asserts that the remarks provided above with regard to claim 1 apply also to claim 11. Accordingly, Applicant respectfully submits that claim 11 is patentable over Kral in view of Roberts.

Dependent Claim 12

Claim 12 depends from and incorporates all of the limitations of independent claim 11. Thus, Applicant respectfully asserts that claim 12 is allowable at least based on an allowable claim 11.

CONCLUSION

Generally, in this Amendment and Response to the Office Action, Applicant has not raised all possible grounds for (a) traversing the rejections of the Office Action or (b) patentably distinguishing any new or currently amended claims (i.e., over the cited references or otherwise). Applicant however, reserves the right to explicate and expand on any ground already raised and/or to raise other grounds for traversing and/or for distinguishing, including, without limitation, by explaining and/or distinguishing the subject matter of the Application and/or any cited reference at a later time (e.g., in the event that this Application does not proceed to issue with the current pending claims, or in the context of a continuing application). Applicant submits that nothing herein is, or should be deemed to be, a disclaimer of any rights, acquiescence in any rejection, or a waiver of any arguments that might have been raised but were not raised herein, or otherwise in the prosecution of this Application, whether as to the original claims or as to any of the new or amended claims, or otherwise. Without limiting the generality of the foregoing, Applicant reserves the right to reintroduce one or more of the original claims in original form or otherwise so as to claim the subject matter of those claims, both/either at a later time in prosecuting this Application or in the context of a continuing application.

Applicant respectfully requests reconsideration of the claims in view of the amended claim and the remarks made herein. A notice of allowance is earnestly solicited.

This response is accompanied by the appropriate fee to obtain a 1-month extension of the period for responding to the Office Action, thereby moving the deadline for response from September 24, 2011, to October 24, 2011.

At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account **50-4019** pursuant to 37 C.F.R. 1.25. Additionally, please charge any fees to Deposit Account **50-4019** under 37 C.F.R. 1.16, 1.17, 1.19, 1.20 and 1.21.

Respectfully submitted on behalf of:

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